



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/991,918	11/26/2001	Jessica Broussard	10014327-1	7574
22879	7590	06/02/2004	EXAMINER	
HEWLETT PACKARD COMPANY P O BOX 272400, 3404 E. HARMONY ROAD INTELLECTUAL PROPERTY ADMINISTRATION FORT COLLINS, CO 80527-2400			LIU, MING HUN	
			ART UNIT	PAPER NUMBER
			2675	6

DATE MAILED: 06/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/991,918

Applicant(s)

BROUSSARD, JESSICA

Examiner

Ming-Hun Liu

Art Unit

2675

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 26 April 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☒ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____

Claim(s) objected to: _____

Claim(s) rejected: 21-33.

Claim(s) withdrawn from consideration: _____

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____
10. ☐ Other: _____


DENNIS-DOON CHOW
PRIMARY EXAMINER

Continuation of 5. does NOT place the application in condition for allowance because: Han's invention is similar to the one being claimed, the main discrepancy between the claimed invention and Han's invention lies in the method in which the monitor movement is initiated. It has been established in the previous office action that the different input methods to computer systems, particularly computer displays, suggested by the inventor are well known in the art. Input methods such as remote input, voice input and keyboard input, as demonstrated are well known input methods in the computer/display art. The components claimed in the application's invention are well known and thus cannot be considered novel when incorporating them into a new system, however as the applicant has pointed out, the motivation to combine the components with an adjustable display, such as the one outlined in Han is unclear. The examiner will clarify the ambiguity of the arguments and further elaborate on the motivation behind the combination of the references.

In reference to the arguments concerning claim 21. Han teaches an invention similar to the one being claimed however; his invention does not include peripheral (off the monitor) adjustment capabilities as claimed by the applicant. In claim 21, the applicant uses a keyboard as the peripheral input method. The Jaynes reference, teaches the use of a peripheral component to control the display movement. Jaynes chooses to select a remote (cordless) input component for his system. Jaynes referred to his input component 200 as a remote control unit. A picture of item 200 can be seen in figure 4 and a description can be found in column 4, lines 61-65.

The reason why the examiner believed that the combination of Han's and Jaynes' invention "reads" on the claimed invention is hinges on the definition of "keyboard". Webster dictionary defines keyboard as "an assemblage of systematically arranged keys by which a machine or device is operated." Using this definition they "remote control" described by Jaynes reads on the claimed invention as Jaynes indeed does teach the used of "an assemblage of systematically arranged keys by which a machine or device is operated." Furthermore, by reading the description offered in column 4, a line 61-65 of Jaynes, the suggested embodiment of his remote control does resemble a computer keyboard with embedded track ball, touch pad, etc.

In reference to the arguments offered for claims 25 and 23, Arling's inventive uniqueness that is being relied upon is the invention's ability to translate voice information into particular electrical commands. Voice command technology has been known to ones skilled in the art. As demonstrated by Arling's invention and further established in the "background of the invention" section of his disclosure, one skilled in the art understands that integrated voice command devices are well known to the art. It would have been obvious to one skilled in the art to include voice input methods to achieve hands free input capabilities.